Examiner: (not yet assigned)

Art Unit: 1646

# wIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application

Hart et al.

Serial No.:

10/559,758

Filed:

December 6, 2005

Entitled:

Peptide Ligands

U.S. National Phase of: PCT/GB2004/002421 Attorney Docket No.: ABL-012.1P US

Mail Stop AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### TRANSMITTAL LETTER

Sir:

Transmitted herewith are: [X] an Information Disclosure Statement (IDS) under 37 CFR §§ 1.56, 1.97 and 1.98; [X] Form PTO-1449 Information Disclosure Statement; [X] photocopies of the disclosed documents, to be filed in the above-identified patent application; and [X] a return receipt post card.

### **PAYMENT OF FEES**

- [ ] A check in the amount of \$\_\_\_\_ (check no. ) in payment of the fee for submission of an information disclosure statement transmitted herewith.
- [X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 CFR §§ 1.16 or 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0268. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted

David G. O'Brien, Reg. No. 46,125 Leon R. Yankwich, Reg. No. 30,237 Attorneys for Applicants YANKWICH & ASSOCIATES, P.C. 201 Broadway Cambridge, Massachusetts 02139

telephone: (617) 374-3700 telefax: (617) 374-0055 'Receipt date: \$2/13/2006

10559758 - GAU: 1654

U.S. Serial No. 10/559,758 Atty. Docket No. ABL-012.1P US

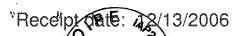
# CERTIFICATE OF MAILING

The undersigned hereby certifies that this correspondence is being deposited with the U.S. Postal Service as First Class Mail, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

12/11/2006

Date

Meghan M. Ladden
Meghan F. McVadden



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

polituation of:

Hart et al.

Serial No.:

10/559,758

Filed:

December 6, 2005

Entitled:

Peptide Ligands

U.S. National Phase of: PCT/GB2004/002421 Attorney Docket No.: ABL-012.1P US

**Mail Stop Amendment** 

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Art Unit: 1646

Examiner: (not yet assigned)

# INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, AND 1.98

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office.

A modified Form PTO-1449 listing the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents. This Statement is being submitted before the first Office Action on the merits pursuant to 37 C.F.R. § 1.97(b)(3). Accordingly, no fee is required with this submission.

### Foreign Published Applications

DE 198 45 251, published March 9, 2000;

WO 01/58940, published August 16, 2001;

WO 02/072616, published September 19, 2002;

WO 02/057447, published July 25, 2002;

WO 03/004646, published January 16, 2003;

WO 03/008537, published January 30, 2003;

WO 03/094974, published November 20, 2003;

WO 91/18010, published November 28, 1991;

WO 98/44121, published October 8, 1998;

'Receipt date: 12/13/2006

10559758 - GAU: 1654

U.S. Serial No. 10/559,758 Atty. Docket No. ABL-012.1P US

### Foreign Published Applications Continued

WO 98/54347, published December 3, 1998.

### **Other Documents**

Bachman et al., J. Mol. Med., 76: 126-132 (1998);

Bandyopadhyay, J. Biol. Chem., 274: 10163-10172 (1999);

Bettinger et al., Bioconjugate Chem. 10: 558-561 (1999);

Boer et al., J. Med. Chem., 44: 2586-2592 (2001);

Brandao, Vaccine, 2268-2272 (2003);

Boussif et al., Proc. Natl. Acad. Sci. USA, 92(16): 7297-7301 (1995);

Castilho et al., *Biotechnol. Prog.*, 18: 776-781 (2002);

Chowdhury et al., J. Biological Chemistry, 268(15): 11265-11271 (1993);

Cole-Strauss et al., Science, 273: 1386-1389 (1996);

Cruz et al., J. Biotechnol., 96: 169-183 (2002);

Curiel et al., Proc. Natl. Acad. Sci. USA, 88: 8850-8854 (1991);

Durocher et al., Nucleic Acids Res., 30(2): E9 (2002);

Ehsan et al., J. Thorac. Cardiovasc. Surg., 121: 714-722 (2001);

Ehsan et al., Circulation, 105: 1686-1692 (2002);

Erbacher et al., Gene Therapy, 6(1) 138-145 (1999);

Felgner et al., Human Gene Therapy, 8: 511-512 (1997);

Goncz et al., Hum. Mol. Genet., 7: 1913-1919 (1998);

Groth et al., Proc. Natl. Acad. Sci. USA, 97: 5995-6000 (2000);

Han et al., Biol. Pharm. Bull., 22(8): 836-840 (1999);

Ivanenkov et al., Biochimica et Biophysica Acta, 1448(3): 463-472 (1999);

Knudsen et al., Anti-cancer Drugs, 8: 113-118 (1997);

Kren et al., Nat. Med., 4(3): 285-290 (1998);

Krieg et al., Nature, 374: 546-549 (1995);

Mann et al., Lancet, 354: 1493-1498 (1999);

Mannion et al., Ann. Thorac. Surg., 66: 1948-1952 (1998);

Morishita et al., Proc. Natl. Acad. Sci. USA, 92: 5855-5859 (1995);

Nicklin et al., Mol. Ther., 4(6): 534-542 (2001);

Olivares et al., Gene, 278: 167-176 (2001);

Pereboev et al., Gene Therapy, 9(17): 1189-1193 (2002);

Reddy et al., J. Pharm. Sciences, 88: 1112-1118 (1999);

\*Receipt date: 12/13/2006

10559758 - GAU: 1654

U.S. Serial No. 10/559,758 Atty. Docket No. ABL-012.1P US

Reddy et al., J. Controlled Release, 64: 27-37 (2000);

Rosenkranz et al., Experimental Cell Research, 199: 323-329 (1992);

Shi, TRENDS in Genetics, 19(1) 9-12 (2003);

Stoll et al., J. Bacteriol., 184(13): 3657-3663 (2002);

Thyagarajan et al., Gene, 244: 47-54 (2000);

Thyagarajan et al., Mol. Cell. Biol., 21(12): 3926-3934 (2001);

Tillman et al., J. Immunol., 162: 6378-6383 (1999);

Wade-Martins et al., Molecular Therapy, 7(5): 604-612 (2003);

Wang et al., Am. J. Respir. Cell Mol. Biol., 22: 129-138 (2000);

Watkins et al., Gene Therapy, 4: 1004-1012 (1997);

Wickham et al., Cancer Immunol. Immunother., 45: 149-151 (1997);

Woolf et al., Proc. Natl. Acad. Sci. USA, 92: 8298-8302 (1995);

Wu et al., J. Biological Chemistry, 262(10): 4429-4432 (1987);

Wu et al., J. Biol. Chem., 266(22): 14338-14342 (1991);

Yano et al., Human Gene Therapy, 11: 995-1004 (2000);

Yant et al., Nat. Genet., 25: 35-41 (2000);

Yoon et al., Proc. Natl. Acad. Sci. USA, 93: 2071-2076 (1996).

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application, and also printed on any patent issuing from the above-identified application.

Respectfully submitted,

David G. O'Brien, Reg. No. 46,125 Leon R. Yankwich, Reg. No. 30,237

Attorneys for Applicants

YANKWICH & ASSOCIATES, P.C.

201 Broadway

Cambridge, Massachusetts 02139

telephone: (617) 374-3700 telefax: (617) 374-0055 'Receipt date: 12/13/2006

10559758 - GAU: 1654

U.S. Serial No. 10/559,758 Atty. Docket No. ABL-012.1P US



## Certificate of Mailing

The undersigned hereby certifies that this correspondence and accompanying documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

12/11/2006

date

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.B./

WO 98/54347

OE /			
Modified FORM P10 4449	ATTY. DOCKET NO.	SERIAL NO.	
DEC 1 3 2006	ABL-012.1P US	10/559,758	
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS INFORMATION DISCLOSURE	APPLICANT		
STATEMENT STATEMENT	Hart et al.		
(I be a second about if a second	FILING DATE	GROUP	
(Use several sheets if necessary)	December 6, 2005	1646	

REFERE	NCE	DESIGNATION	FORE	IGN PA	TENT [	OCUMENTS	3	
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION YES NO	
	AA	DE 198 45 251	03/09/2000					
	AB	WO 01/58940	08/16/2001					
	AC	WO 02/072616	09/19/2002					
	AD	WO 02/057447	07/25/2002					
	AE	WO 03/004646	01/16/2003					
	AF	WO 03/008537	12/30/2003					· · · · · · · · · · · · · · · · · · ·
	AG	WO 03/094974	11/20/2003	_			V-V-:	
	AH	WO 91/18010	11/28/1991					· ·
	AI	WO 98/44121	10/08/1998					

12/03/1998

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Bachman et al., J. Mol. Med., 70, 120-132 (1998) Bandyopadhyay, J. Biol. Chem., 274. 10163-10172 (1999) Rettinger et al, Bioconjugate Chem. 10: 558 561 (1999) AM.  $\Delta N$ Poer et al., J. Med. Chem., 44: 2586-2592 (2001) AO Brandao, Vaccine, 2268-2272 (2003) AP Boussif et al., Proc. Natl. Acad. Sci. USA, 92(10). 7297-7301 (1995) AQ. Castilho et al., Biotechnol. Prog., 18. 776-781 (2002)  $\mathbf{AR}$ Chowdhury et al., J. Biological Chomistry, 268(15): 11265-11271 (1993) AS Cole Strauss et al., Science, 273: 1386 1389 (1996) AT Cruz et al., *J. Biotechnol.*, 06: 160-183 (2002) AUCuriol et al., Proc. Natl. Acad. Sci. USA, 88. 8850-8854 (1991) AV Durocher et al., Nucleic Acids Res., 30(2): E9 (2002) AW Ensan et al., J. Inorac. Caralovasc. Surg., 121: 714-722 (2001) Ehsan et al., Circulation, 105. 1680-1092 (2002) AY Erhacher et al., Gone Therapy, 6(1) 138 145 (1990) AZ Felgner et al., *Human Gene Therapy*, 8, 511-512 (1997)

00000000	. BA	Goncz et al., Hum. Mol. Genet., 7:	1913-1919 (1998)				
00000000		Grothet al., Proc. Natl. Acad. Sci.	<del>USA, 97. 5995-6000 (2000)</del>				
00000000	B.C	Han et al., Biol. Pharm. Bull., 22(					
00000000	BD		physica Acta, 1448(3). 463-472 (1939)				
000000000	<b>DF</b>	Knudsen et al., Anti-cancer Brugs,		000000000000000000000000000000000000000			
	BF						
	BC	Kron et al., Not. Med., 4(3): 285-200 (1008)					
		Krieg et al., <i>Nature</i> , 374, 546-549 (1995)					
	RI	Mann et al., <i>Luncet</i> , 354, 1493-145					
900000000		Mannion et al., Ann. Thorac. Surg., 66: 1948-1952 (1998)					
000000000	BJ	Morishita et al., Proc. Natl. Acad. Sci. I	<u>USA, 92: 5855-5859 (1995)</u>				
00000000		Nicklin et al., Mol. Ther., 4(0). 534-542 (2001)					
00000000		Olivares et al., Gene, 278. 167-176	Olivares et al., Gene, 278. 167-176 (2001)				
***************************************	BM	Pereboev et al., Gene Therapy, 3(1	<del>7). 1189-1193 (2002)</del>				
******	BN	Reddy et al., J. Pharm. Sciences, 88: 1112 1118 (1999)					
XXXXXXXX	ВО	Reddy et al. J. Controlled Release, 64: 27-37 (2000)					
000000000	<b></b>	Rosenkranz et al., Experimental Cell Research, 199: 323-329 (1992)					
00000000		Shi, TRENDS in Genetics, 19(1) 9-12 (2003)					
00000000		Stoft et al., 9. Ducteriot., 104(19). 0001-0000 (2002)					
00000000	BS						
	ВТ	Thyagarajan et al., Gene, 244: 47-54 (2000)  Thyagarajan et al. Mal. Call. Biol. 21(12): 3026-2024 (2001)					
	BU	Thyagarajan et al., Mol. Cell. Biol., 21(12): 3926-3934 (2001)					
************	P.V	Tillman et al., J. Immunel., 162: 6378 6383 (1999)					
000000000		Wade-Martins et al., Molecular Therapy, 7(5): 804-812 (2003)					
00000000	BW	Wang et al., Am. J. Respir. Cell Mol. Biol., 22: 120-128 (2000)					
***************************************		Watkins et al., <i>Gene Therapy</i> , 4. 1004-1012 (1997)					
00000000	BY	Wickham et al Cancer Immunol Immunother 45: 149-151 (1997)					
	<b> </b>	Woolf et al., <i>Proc. Natl. Acad. Sci. USA</i> , 92. 8298-8302 (1995)					
	CA	Wa et al., J. Biological Chemistry, 262(10): 4420-4432 (1987)					
	СВ	Wu et al., J. Biel. Chem., 266(22): 14338-14342 (1991)					
00000000	-CC	Yano et al., Haman Gene Therapy, 11: 395-1004 (2000)					
		Yant et al., Nat. Genet., 25: 35-41 (2000)					
00000000	CE	Yoon et al., Proc. Natl. Acad. Sci. 4					
	CCV /Chris	tina Bradley/	·				
	EXAMINER		DATE CONSIDERED 07/06/2010				

'Receipt date: 12/13/2006

10559758 - GAU: 1654

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.Draw line through citation if not in conformance and not considered. Include copy of this form with

next communication to Applicant.

sheet \_3\_\_ of \_\_3\_\_